

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

04-M-2173

ANDRES ORTIZ,

Defendant.

**STATEMENT OF THE GOVERNMENT WITH RESPECT
TO SENTENCING FACTORS**

PLEASE TAKE NOTICE, that the government hereby adopts all findings of the Presentence Report with respect to sentencing factors in this action.

Should the defendant present any letters of support or sentencing statement to the Court, the United States will move to strike the items from the record if this office is not provided with copies at least three business days prior to sentencing.

The defendant is required by 18 U.S.C. § 3013 to pay the sum of \$25 at the time of sentencing.

DATED: Buffalo, New York, December 8, 2005.

Respectfully submitted,

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Acting United States Attorney

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Diane L. Root, U.S. Probation Officer

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2005, I electronically filed the foregoing STATEMENT OF THE GOVERNMENT WITH RESPECT TO SENTENCING FACTORS with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

Diane L. Root, U.S. Probation Officer

E. Carey Cantwell, Esq.

s/Charlene A. Forney

CHARLENE A. FORNEY